

Message Text

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ACTION IO-14

INFO OCT-01 ARA-10 ISO-00 CIAE-00 COME-00 EB-08 INR-10
LAB-04 NSAE-00 SIL-01 HA-05 /053 W
-----117454 181003Z /11
R 162117Z MAY 78
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC 9229
INFO USMISSION GENEVA

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DEPT PASS DEPT OF LABOR

E.O. 11652: N/A
TAGS: SHUM, ELAB, ILO, CI
SUBJECT: ILO: ONSITE INVESTIGATION IN CHILE

REF: GENEVA 7377

1. SUMMARY: WITH GOC COOPERATION ILO STAFFER SEGOVIA COMPLETED ONSITE INVESTIGATION MAY 15 BUT DEFINITIVE CONCLUSIONS AWAIT ADDITIONAL INFORMATION PRESENTLY BEING PREPARED BY DEMOCRATIC TRADE UNION LEADERS. SEGOVIA PLANS TO MAKE HIS REPORT MAY 25 TO THE COMMITTEE ON TRADE UNION FREEDOM. RESULTS WILL PROBABLY SHOW COMPLIANCE WITH SOME ILO COMMITTEE RECOMMENDATIONS ON BANISHMENTS, DETENTIONS AND WILLINGNESS TO MAINTAIN DIALOGUE WITH THE COMMITTEE. HOWEVER, NEW AVENUES OF INQUIRY CONCERNING RECENT GOC VIOLATIONS OF LABOR FREEDOM MAY OPEN. END SUMMARY.

2. ILO STAFF MEMBER LUIS SEGOVIA CONDUCTED AN ONSITE INVESTIGATION OF GOC COMPLIANCE WITH THE RECOMMENDATIONS OF THE COMMITTEE ON INVESTIGATION AND CONCILIATION IN MATERIAL RELATING TO TRADE UNION FREEDOM MAY 5-16. HE WAS PARTICULARLY INTERESTED IN GOC COMPLIANCE WITH
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COMMITTEE RECOMMENDATIONS CONCERNING DISAPPEARANCES, DETENTIONS AND BANISHMENTS OF TRADE UNION LEADERS. HE ALSO INVESTIGATED GOC ACCEPTANCE OF COMMITTEE RECOMMENDATION ON PERMITTING NON-GOVERNMENT GROUPS TO HAVE SEPARATE MAY 1 ACTIVITIES AND HEARD EVIDENCE ABOUT THE EFFECT MAY 1 DETENTIONS HAVE HAD ON TRADE UNION ACTIVITY. SEGOVIA SAID THAT HIS RESPONSIBILITIES WERE RELATED TO SITUATIONS IN

VIOLATION OF ILO CONVENTIONS #87 AND 98 (TRADE UNION FREE-DOM AND COLLECTIVE BARGAINING), CONVENTIONS WHICH THE GOC HAS NOT SIGNED. SEGOVIA TOLD LABATT THAT HE DID NOT DISCUSS LACK OF GOC COMPLIANCE WITH ILO CONVENTIONS #111 (EMPLOYMENT DISCRIMINATION) WHICH THE GOC DID SIGN AS THIS WAS THE RESPONSIBILITY OF THE COMMITTEE OF EXPERTS AND THE COMMISSION ON INQUIRY.

3. SEGOVIA WAS PLEASED WITH THE COOPERATION HE RECEIVED FROM THE GOC IN PERMITTING HIM FREE ACCESS TO ALL SECTORS OF CHILEAN SOCIETY. SEGOVIA SAID THAT HE MET WITH GOVERNMENT (INCLUDING THE MINISTER OF LABOR) AND BUSINESS OFFICIALS. HE ALSO SPOKE WITH A GROUP OF DEMOCRATIC COPPER LEADERS WHO LOST THEIR JOBS AT EL TENIENTE MINE AS A RESULT OF BEING BANISHED FOR A MONTH IN LATE 1977. SEGOVIA MET PRO-GOVERNMENT LABOR LEADERS AS WELL AS COMMUNIST LABOR. IN ADDITION, HE SPOKE TO THE "GROUP OF TEN" (DINAMICOS) WHO PLAN TO FORWARD ADDITIONAL INFORMATION CONCERNING NEW VIOLATIONS BY THE GOC OF TRADE UNION RIGHTS. SEGOVIA SAID THAT THE LOCAL REPRESENTATIVE OF ILO WOULD TRANSMIT THE INFORMATION TO HIM AS SOON AS IT BECAME AVAILABLE.

4. SEGOVIA NOTED THAT THE GOC COMPLIANCE WITH SOME ILO RECOMMENDATIONS IS GOOD. HOWEVER, THE PROBLEM OF DISAPPEARED PERSONS IS VERY DELICATE. SEGOVIA IS CONCERNED ABOUT THE NUMBER OF COMPLAINTS OF NEW VIOLATIONS OF TRADE LIMITED OFFICIAL USE

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UNION RIGHTS WHICH MAY RESULT IN ADDITIONAL INVESTIGATIONS. OF CONTINUING CONCERN IS THE LACK OF MOVEMENT ON DECREEING NEW LEGISLATION TO REPLACE DECREE LAW 198 WHICH SEVERELY RESTRICTS TRADE UNION RIGHTS.

5. COMMENT: SEGOVIA APPEARS TO TAKE HIS JOB VERY SERIOUSLY AND WAS SOUBT OUT BY COMMUNIST, GOVERNMENT AND DEMOCRATIC LABOR GROUPS. THE RESULTS OF THE INVESTIGATION WILL PROBABLY SHOW A POSITIVE COMPLIANCE WITH ILO RECOMMENDATIONS CONCERNING DETENTIONS AND BANISHMENTS BUT MAY OPEN UP NEW AVENUES OF INVESTIGATION CONCERNING NEW VIOLATIONS OF TRADE UNION RIGHTS.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, TREATY VIOLATION, INVESTIGATIONS, INTERNATIONAL LABOR ORGANIZATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 16 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978SANTIA03697
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780209-0349
Format: TEL
From: SANTIAGO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780554/aaaabtil.tel
Line Count: 107
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 75473e9c-c288-dd11-92da-001cc4696bcc
Office: ACTION IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 GENEVA 7377
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2677309
Secure: OPEN
Status: NATIVE
Subject: ILO: ONSITE INVESTIGATION IN CHILE
TAGS: SHUM, ELAB, CI, ILO, (SEGOVIA, LUIS)
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/75473e9c-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014